

B' 26. (Amended) A bacterial strain transformed with a recombinant vector [comprising exogenous DNA] of claim 25.

B 32. (Amended) A transgenic microorganism or plant, comprising a microorganism or plant wherein a cell of said microorganism or plant is transformed with a vector [an exogenous DNA sequence] of claim [1] 48.

33. A transgenic plant containing a recombinant gene [wherein the exogenous DNA is a vector] of claim [25] 48.

Claim 42, line 3: Delete "cell" and insert --transgenic plant--.

NE Claim 44, line 2: Delete "monoamine oxygenase," and insert --monooxygenase,--.

Please add the following new claims:

B 1 45. A recombinant gene, comprising  
a DNA sequence encoding a polypeptide having the  
biological activity of 2,4-D monooxygenase which is capable of  
being expressed in a plant, operably linked to  
a heterologous promoter capable of promoting the  
expression in a plant of a structural gene operably linked  
thereto.

4 46. A recombinant gene of claim 45, wherein the DNA  
sequence is  
the structural gene sequence of Figure 10, except  
that the initiation codon is ATG,  
a DNA sequence differing therefrom by codon  
degeneracy, or  
a DNA sequence hybridizable therewith. ✓

6 ~~41~~<sup>2</sup>. A recombinant gene of claim ~~45~~<sup>2</sup>, wherein the structural gene sequence is derived from Alcaligenes eutrophus JMP134 plasmid pJP4, DSM 3840.

8 ~~48~~<sup>1</sup>. A recombinant vector comprising a recombinant gene of claim ~~45~~<sup>1</sup>.

5 ~~45~~<sup>4</sup>. A recombinant vector comprising a recombinant gene of claim ~~46~~<sup>4</sup>.

7 ~~56~~<sup>4</sup>. A recombinant vector comprising a recombinant gene of claim ~~41~~<sup>4</sup>.

3 ~~51~~<sup>2</sup>. A transgenic plant of claim ~~38~~<sup>2</sup>, wherein the exogenous DNA sequence encoding a polypeptide having the biological activity of 2,4-D monooxygenase which is capable of being expressed in a plant is operably incorporated into the genome of the host plant cell.

15 ~~52~~<sup>14</sup>. A method of claim ~~42~~<sup>14</sup>, whereby the plant is protected against growth inhibition caused by treatment of the plant with a substituted phenoxyacetic acid.

16 ~~53~~<sup>15</sup>. A method of claim ~~52~~<sup>15</sup>, wherein the substituted phenoxyacetic acid is 2,4-dichlorophenoxyacetic acid, 4-chlorophenoxyacetic acid or (2-methyl-4-chlorophenoxy)acetic acid.

#### REMARKS

In response to the Restriction Requirement, Applicants hereby confirm the provisional election of Group I, with traverse. First of all, Applicants assert that a search for monooxygenase genes, restricted to Group I, would necessarily overlap with a search for mutants of such genes, restricted to Group II. Furthermore, searches for each of the four groups